

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ANGE SAMMA *et al.*, on behalf of
themselves and others similarly situated,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
DEFENSE *et al.*,

Defendants.

No. 20-cv-1104-PLF

DECLARATION OF HEMALATHA LINGAMANENI

I, HemaLatha Lingamaneni, hereby declare as follows:

1. I am a 30-year-old native and citizen of India.
2. On June 30, 2013, I entered the United States on an F-1 student visa.
3. On March 15, 2016, I enlisted in the United States Army through the Military Accessions Vital to the National Interest (“MAVNI”) recruitment program. On that day, I signed an eight-year enlistment contract and took the oath of enlistment.
4. On February 17, 2021, I signed a statement of enlistment following the completion of extra background checks and military service suitability determinations that became required for MAVNI recruits after my original enlistment date.
5. I currently serve on active duty as a Specialist (E-4). My military occupational specialty is Water Treatment Specialist (92W).
6. I shipped to basic combat training (“BCT”) at Fort Jackson, South Carolina on March 1, 2021 and graduated from BCT on June 17, 2021.
7. Prior to shipping to BCT, my counsel, Beverly Cutler, helped me prepare to seek my certification of

honorable service (“N-426 certification”) by providing me with an N-426 form, with my sections completed. She also provided me with copies of (1) the August 25, 2020 Order and Judgment in this case (“*Samma* Order”); (2) the August 31, 2020 memorandum from then-Under Secretary of Defense for Personnel and Readiness, Matthew P. Donovan, ordering compliance with the *Samma* Order; and (3) the September 3, 2020 memorandum from then-Assistant Secretary of the Army for Manpower & Reserve Affairs, E. Casey Wardynski, on compliance with the *Samma* order.

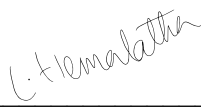
8. On or about March 10, 2021, I asked my second lieutenant, whom I approached through one of my sergeants, to help me obtain my N-426 certification. I also showed my second lieutenant copies of the *Samma* Order and the implementing memoranda my counsel provided me before I shipped to BCT. Specialist Yiyi Yu and I went together to speak with the second lieutenant because we were both in the same company at that time. The second lieutenant said he would ask up the chain of command regarding our N-426 certifications. Later that day, he took us to see the company commander in person, where we requested assistance with our N-426 certifications. I also showed the company commander copies of the *Samma* Order and the implementing memoranda my counsel provided me before I shipped to BCT. The company commander told us that he was informed by his chain of command that we could not receive our N-426 certifications until we had completed BCT and advanced individual training (“AIT”).
9. On April 18, 2021, I again asked my chain of command to help me obtain my N-426 certification. I was again told that my company could not assist me with the N-426 process. This time, my chain of command would not even take my N-426 paperwork from me.
10. In late May, I again asked my chain of command to help me obtain my N-426 certification. This time, my chain of command accepted my N-426 paperwork. On or about May 25, 2021, my chain of command gave me a signed N-426 form. However, I believe the form was not properly completed because Part 5 was not properly completed to match with Part 3 and my counsel advised United

States Citizenship and Immigration Services (“USCIS”) may reject it. Also, when my chain of command gave me my signed N-426 form, it instructed me that I had to hold on to it until I got to my first duty station after AIT because I could not submit my naturalization application until after I completed AIT and shipped to my duty station where I would finally become a “complete soldier.”

11. On June 17, 2021, I graduated from BCT.
12. On June 30, 2021, I finally received a properly certified N-426 form from my counsel, who obtained it from class counsel at the American Civil Liberties Union.
13. On July 1, 2021, I began AIT, also at Fort Jackson. On August 5, 2021, I transferred to Fort Lee, Virginia to complete my AIT.
14. At the time I received a properly certified N-426 form, it had been four months since I began serving in an active duty status by shipping to BCT.
15. At the time I received a properly certified N-426 form, it had been over three and a half months since I first requested my N-426 certification.
16. I have served honorably at all times since entering service.
17. I am not aware of any legitimate reason that would prevent USCIS from granting my naturalization application.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 3, 2021.



HemaLatha Lingamaneni